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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,065

12/31/2003

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7372

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06/04/2007

EXAMINER

CRANMER, LAURIE K

ART UNIT

PAPER NUMBER

3636

MAIL DATE

DELIVERY MODE

06/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/749,065	BURNS, DAVE	
	Examiner	Art Unit	
	Laurie K. Cranmer	3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

In claim 1, line 4 "a size adjustment" is confusing since it does not describe a component, but rather is an action; lines 2-7 merely list a catalogue of parts with no interconnection, which is indefinite and fails to define the metes and bounds of the claim; in line 9 "the center and "the side female buckles" have no definite antecedent basis; in line 11 "a rigidifying strip" is a double recitation of the rigidifying strip recited in line 6; in line 11 "the parallel side" has no definite antecedent basis; in line 12 "the optimal position" has no definite antecedent basis; in line 14 "a mating device" is a double recitation of the mating device recited in line 5; in line 15 "the male buckle" and "the center shoulder harness" have no definite antecedent basis; in line 16 "said seatbelt mating device" has no definite antecedent basis; in line 16 "rigidly" is confusing and appears to be

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misdescriptive; in lines 16-17 "the right and left shoulder harnesses" has no definite antecedent basis; in lines 17-18 "in cars without a center back seat shoulder harness" is confusing since it appears from the drawings that the backseat pictured does have a center back seat shoulder harness.

In claim 2, lines 2-3 "on the edge of the sheet nearest the backrest of the seat" is confusing since it sounds like the existing seat belt hardware is on the edge of the sheet.

In claim 3, line 1 "an adjustment" is a double recitation of "a size adjustment" in claim 1.

In claim 4, lines 3-4 "the male mating buckle" and in line 4 "the center shoulder harness" have no definite antecedent basis.

In claim 5, line 1 "a seatbelt mating device" is a double recitation of "mating device" and "seat belt mating device" recited in claim 1; in line 2 "the right and left shoulder harnesses", in line 3 "the back seat" and in line 5 "said supine child" have no definite antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, so far as understood, are rejected under 35 U.S.C. 102(b) as being anticipated by White.

The sheet is item 1, the attachment rings are 25, 26, the size adjustment is 17, the female buckles are 4, 14, the rigidifying strip is 23, 24, the mating device is 7, 8, and the attachment rings are attached to the existing seat belt hardware via the straps 9, 10 and buckles 5, 15.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fligsten et al, Klich, Bergenheim et al, Williams et al, Langhoff, Hartigan, Williams et al and Murray all teach devices similar to that of the instant invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie K. Cranmer whose telephone number is (571) 272-6855. The examiner can normally be reached on M-W.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on (571) 272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Laurie K. Cranmer
Primary Examiner
Art Unit 3636

LKC
5/29/07